

Remarks

Claims 1- 7 and 15 are amended herein. Claims 1-23 remain pending in the Application. No new matter has been added as a result of the Claim amendments.

Rejection under 35 U.S.C. §103(a)

Claims 1, 2, 4 and 6

In the Office Action, the Examiner rejected Claims 1, 2, 4 and 6 under 35 U.S.C. §103(a) as being unpatentable over Huotari et al. (2002/0004935) in view of Owens (2003/0053443). Applicant has reviewed Huotari et al. in view of Owens and respectfully states that Huotari et al. in view of Owens does not teach or render obvious the present invention for the following rationale.

Independent Claim 1 states “A method of automatically providing configuration information for a broadband communication device, said method comprising:

communicatively coupling a broadband communications device with a computing system;

receiving, from said computing system communicatively coupled with said broadband communications device, an automatically generated communication via a communication link between a server and said computing system, said automatically generated communication not requiring any user interaction or user entered information;

identifying a source of said communication;

based on said source of said communication, determining configuration information for said broadband communication device; and

sending said configuration information over said communication link, to said computing device, wherein said configuration information is automatically provided to said broadband communications device from said computing device.”  
Support for the Claimed features can be found throughout the Application

including page 7 line 5 through page 8 line 6 and page 11 lines 22-25 of the Specification.

Applicant respectfully agrees with the Examiner that Huotari et al. do not teach the communication is automatically generated and not requiring and user interaction or user entered information as featured in Claim 1.

Moreover, Applicant does not understand Huotari et al. to teach or render obvious the feature "communicatively coupling a broadband communications device with a computing system; and receiving, from said computing system communicatively coupled with said broadband communications device, an automatically generated communication via a communication link between a server and said computing system, said automatically generated communication not requiring any user interaction or user entered information."

Applicant does not understand Owens to teach or render obvious the features "communicatively coupling a broadband communications device with a computing system; and receiving, from said computing system communicatively coupled with said broadband communications device, an automatically generated communication via a communication link between a server and said computing system, said automatically generated communication not requiring any user interaction or user entered information."

That is, Applicant does not understand Owens to teach that the broadband communications device relies on any outside computing system for connecting with the server or any other actions. Specifically, Applicant understands Owens to teach a stand alone device that is powered and connected to a phone line. Accordingly, Applicant respectfully submits that the present invention as recited in Claims 1, 3 and 5 is neither taught nor rendered obvious by Huotari et al. in view of Owens.

Therefore, Applicant respectfully submits that Huotari et al. in view of Owens does not teach or render obvious the present claimed invention as recited in Claim 1, and as such, Claim 1 is in condition for allowance. Accordingly, Applicant also respectfully submits that Huotari et al. in view of Owens does not teach or render obvious the present claimed invention as recited in Claims 2, 4 and 6 which are dependent on an allowable Independent Claim 1 and that Claims 2, 4 and 6 recite further features of the present claimed invention. Therefore, Applicant respectfully states that Claims 2, 4 and 6 are allowable as pending from allowable base Claims.

Claims 1, 3 and 5

In the Office Action, the Examiner rejected Claims 1, 3 and 5 under 35 USC 103(a) as being unpatentable over Dieterman et al. (6560704) in view of Owens. Applicant has reviewed the cited reference and respectfully submits that the present invention is not rendered obvious over Dieterman et al. in view of Owens for the following rationale.

Independent Claim 1 states "A method of automatically providing configuration information for a broadband communication device, said method comprising:

communicatively coupling a broadband communications device with a computing system;

receiving, from said computing system communicatively coupled with said broadband communications device, an automatically generated communication via a communication link between a server and said computing system, said automatically generated communication not requiring any user interaction or user entered information;

identifying a source of said communication;

based on said source of said communication, determining configuration information for said broadband communication device; and

sending said configuration information over said communication link, to said computing device, wherein said configuration information is automatically provided to said broadband communications device from said computing device.” Support for the Claimed features can be found throughout the Application including page 7 line 5 through page 8 line 6 and page 11 lines 22-25 of the Specification.

Applicant respectfully agrees with the Examiner that Dieterman et al. do not teach the communication is automatically generated and not requiring and user interaction or user entered information as featured in Claim 1.

Moreover, Applicant does not understand Dieterman et al. to teach or render obvious the feature “communicatively coupling a broadband communications device with a computing system; and receiving, from said computing system communicatively coupled with said broadband communications device, an automatically generated communication via a communication link between a server and said computing system, said automatically generated communication not requiring any user interaction or user entered information.”

Applicant does not understand Owens to teach or render obvious the features “communicatively coupling a broadband communications device with a computing system; and receiving, from said computing system communicatively coupled with said broadband communications device, an automatically generated communication via a communication link between a server and said computing system, said automatically generated communication not requiring any user interaction or user entered information.”

That is, Applicant does not understand Owens to teach that the broadband communications device relies on any outside computing system for connecting with the server or any other actions. Specifically, Applicant understands Owens

to teach a stand alone device that is powered and connected to a phone line. Accordingly, Applicant respectfully submits that the present invention as recited in Claims 1, 3 and 5 is neither taught nor rendered obvious by Dieterman et al. in view of Owens.

Therefore, Applicant respectfully submits that Dieterman et al. in view of Owens does not teach or render obvious the present claimed invention as recited in Claim 1, and as such, Claim 1 is in condition for allowance. Accordingly, Applicant also respectfully submits that Dieterman et al. in view of Owens does not teach or render obvious the present claimed invention as recited in Claims 3 and 5 which are dependent on an allowable Independent Claim 1 and that Claims 3 and 5 recite further features of the present claimed invention. Therefore, Applicant respectfully states that Claims 3 and 5 are allowable as pending from allowable base Claims.

#### Claims 7-23

In the Office Action, the Examiner rejected Claims 7-23 under 35 USC 103(a) as being unpatentable over Huotari et al. in view of Dieterman et al. Applicant has reviewed the cited reference and respectfully submits that the present invention is not rendered obvious over Huotari et al. in view of Dieterman et al. for the following rationale.

Independent Claim 7 states "A method of configuring a broadband communication device, said method comprising:

- a) upon determining that configuration information is needed for said communication device, automatically contacting a server via a communication link without requiring any user interaction or user entered information;
- b) identifying a source of said communication by providing a serial number of said communications device to said server;
- c) determining configuration information for said communication device based on said source identified by said serial number;

d) transferring said configuration information over said communication link;  
and

e) automatically configuring said communication device with said configuration information.” Support for the Claimed features can be found throughout the Application including page 7 line 5 through page 8 line 6 and page 11 lines 22-25 of the Specification.

Independent Claim 15 states “A system for automatically configuring a broadband communication device, comprising:

a server;

logic operable to automatically use a dial-up modem to communicate with said server when said broadband communication device needs to be configured for broadband communication without requiring any user interaction or user entered information;

said server receiving a serial number of said broadband communications device to identify said broadband communications device;

said server further operable to search for said configuration information based on the serial number of said broadband communications device; and

said server further operable to transfer said configuration information to the source of said communication, wherein said configuration information is available to configure said broadband communication device.” Support for the Claimed features can be found throughout the Application including page 7 line 5 through page 8 line 6 and page 11 lines 22-25 of the Specification.

Applicant respectfully agrees with the Examiner’s previous statement on page 3 of the present Office Action that Huotari et al. do not teach the communication is automatically generated and not requiring and user interaction or user entered information as featured in Claims 7 and 15.

Moreover, Applicant respectfully agrees with the Examiner’s previous statement on page 5 of the present Office Action that Dieterman et al. do not

teach the communication is automatically generated and not requiring and user interaction or user entered information as featured in Claims 7 and 15.

For this reason, Applicant respectfully submits that Huotari et al. either alone or in combination with Dieterman et al. does not teach or render obvious the present claimed invention as recited in Claims 7 and 15, and as such, Claims 7 and 15 are in condition for allowance.

Moreover, Applicant respectfully submits that Houtari et al. either alone or in combination with Dieterman et al. does not teach or render obvious the claimed features "said server receiving a serial number of said broadband communications device to identify said broadband communications device; said server further operable to search for said configuration information based on the serial number of said broadband communications device."

For this additional reason, Applicant respectfully submits that Huotari et al. either alone or in combination with Dieterman et al. does not teach or render obvious the present claimed invention as recited in Claims 7 and 15, and as such, Claims 7 and 15 are in condition for allowance.

Accordingly, Applicant also respectfully submits that Huotari et al. either alone or in combination with Dieterman et al. does not teach or render obvious the present claimed invention as recited in Claims 8-14 and 16-23 which are dependent on an allowable Independent Claims 7 and 16, and that Claims 8-14 and 16-23 recite further features of the present claimed invention. Therefore, Applicant respectfully states that Claims 8-14 and 16-23 are allowable as pending from allowable base Claims.

Conclusion

In light of the above amendments and remarks, Applicant respectfully requests allowance of Claims 1-23.

The Examiner is invited to contact Applicants' undersigned representative if the Examiner believes such action would expedite resolution of the present application.

Respectfully submitted,  
Wagner, Murabito & Hao LLP

Date: 7/03/06

  
\_\_\_\_\_

John P. Wagner, Jr.  
Reg. No. 35,398

WESTRIDGE BUSINESS PARK  
123 WESTRIDGE DRIVE  
WATSONVILLE, CALIFORNIA 95076  
(408) 938-9060